

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 09-20523-BC
Honorable Thomas L. Ludington

D-3 CORY ANN CORLEW,

Defendant.

**ORDER DENYING AS MOOT DEFENDANT CORY CORLEW'S MOTION TO
SUPPRESS STATEMENTS**

On February 24, 2010, a seven-count first superseding indictment [Dkt. # 59] was filed against Defendants Rocky Corlew, Michael Szemites, and Cory Corlew. The indictment charges Defendants with, inter alia, conspiring to violate 21 U.S.C. § 841(a)(1) by manufacturing 1000 or more marijuana plants, and to possess with intent to distribute and to distribute 100 kilograms or more of marijuana in violation of 21 U.S.C. § 846, from the spring of 2008 to at least October 13, 2009.

Now before the Court is Ms. Corlew's motion to suppress statement [Dkt. # 74] filed on May 24, 2010. On July 12, 2010, the Court commenced a hearing on several of Defendants' pending motions to suppress [Dkt. # 30, 31, 38, 74]. While the hearing primarily addressed Defendants' motions to suppress directed at the search and seizure of evidence found at a residence and on its curtilage, the Court briefly addressed Ms. Corlew's motion to suppress her statements made to law enforcement [Dkt. # 74]. At hearing, Ms. Corlew's attorney clarified that Ms. Corlew is only challenging the admissibility of statements made on the date of the search, October 13, 2009, and not statements later made via telephone on October 23, 2009. Notably, the government asserts that

it does not intend to introduce into evidence at trial any of Ms. Corlew's statements made on October 13, 2009. *See* [Dkt. # 80, June 14, 2010].

Accordingly, it is **ORDERED** that Ms. Corlew's motion to suppress statement [Dkt. # 74] is **DENIED AS MOOT**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: July 15, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on July 15, 2010.

s/Tracy A. Jacobs
TRACY A. JACOBS